

# **LEGAL SEPARATION WITH MINOR CHILDREN For Petitioner Only**

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or file this page

# **1**

## **To File for Legal Separation**

Part 1: Petition and First Court Papers  
(Forms Packet)

## SELF-SERVICE CENTER

# PETITION AND PAPERS FOR LEGAL SEPARATION WITH MINOR CHILDREN

## CHECKLIST

*You may use the forms and instructions in this packet if . . .*

- ✓ You want to file for legal separation because:
  - ✓ You and your spouse desire to live separate and apart, **or**
  - ✓ Your marriage is irretrievably broken (can't be fixed) **but** you are **not** ready to file for divorce;

(Note: You do not have to file for legal separation before filing for divorce); **AND**

**Warning: If *the other party* does not want a Legal Separation, the Court may change the Petition for Legal Separation into a Petition for Divorce if you and/or your spouse have lived in Arizona for the last 90 days prior to filing the Petition for Legal Separation.**

- ✓ You do **not** have a "covenant" marriage, or since you were married you have **not** agreed to *change* your marriage to a "covenant" marriage (These papers will not work for a covenant marriage.)\*  
**AND**
- ✓ You or your spouse either live in Arizona or are a member of the armed services stationed in Arizona; **AND**
- ✓ You and your spouse have minor children with each other OR the wife is pregnant by the husband  
**AND**
- ✓ The minor children have resided (lived) in Arizona at least 6 months before you will file the Petition for Legal Separation or you talked to a lawyer who advised you that even so you could pursue the case in Arizona.

**\*WHAT IS A "COVENANT MARRIAGE"? To have a covenant marriage, both husband and wife would have had to:**

1. **Sign papers (essentially a contract) requesting a covenant marriage;**
2. **Attend pre-marital counseling; AND**
3. **Your marriage license would say "Covenant Marriage."**

If you were married *before* August 21, 1998 and have not signed papers to *convert* your marriage to a covenant marriage, you do *not* have a covenant marriage. If you still have questions about whether you have a covenant marriage, see a lawyer for help.

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

## SELF-SERVICE CENTER

# LEGAL SEPARATION WITH MINOR CHILDREN

### Part 1: Petition and First Court Papers (Forms Only)

This packet contains court forms and instructions to file a legal separation with minor children. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	File Number	Title	# pages
1	DRLSC1k	Checklist: <i>You may use these forms if . . .</i>	1
2	DRLSC1ft	Table of Contents (this page)	1
3	DRSDS10f-c	<i>"Family Court / Sensitive Data Sheet in Cases With Children"</i> <b>(NO COPIES REQUIRED)</b>	1
4	DR11f	<b>"Summons"</b>	2
5	DR14f	<b>"Preliminary Injunction"</b>	2
6	DRLSC10f	<b>"Petition for Legal Separation With Minor Children"</b>	8
7	DRCVG13f	<b>"Affidavit Regarding Minor Children"</b>	2
8	DR12f	<b>"Order and Notice to Attend Parent Information Program"</b>	3
9	DR16f	<b>"Notice Regarding Creditors"</b>	2

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Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
ATLAS Number: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

FOR CLERK'S USE ONLY

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Petitioner \_\_\_\_\_

Case No. \_\_\_\_\_

Respondent \_\_\_\_\_

ATLAS No. \_\_\_\_\_

**FAMILY COURT / SENSITIVE DATA  
COVERSHEET WITH CHILDREN  
(CONFIDENTIAL RECORD)**

Fill out. File with Clerk of Court. Social Security Numbers should appear on this form only and should be omitted from other court forms. Access Confidential pursuant to ARFLP 43(G)(1).

**A. Personal Information:**

**Petitioner**

**Respondent**

Name \_\_\_\_\_

Gender \_\_\_\_\_

☐ Male or ☐ Female

☐ Male or ☐ Female

Date of Birth (Month/Day/Year) \_\_\_\_\_

Social Security Number \_\_\_\_\_

**WARNING: DO NOT INCLUDE MAILING ADDRESS ON THIS FORM  
IF REQUESTING ADDRESS PROTECTION**

Mailing Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Contact Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Current Employer Name \_\_\_\_\_

Employer Address \_\_\_\_\_

Employer City, State, Zip Code \_\_\_\_\_

Employer Telephone Number \_\_\_\_\_

Employer Fax Number \_\_\_\_\_

**B. Child(ren) Information:**

Child Name \_\_\_\_\_

Gender \_\_\_\_\_

Child Social Security Number \_\_\_\_\_

Child Date of Birth \_\_\_\_\_

**C. Type of Case being filed - Check only one category.**

*\*Check only if no other category applies*

☐ Dissolution (Divorce)

☐ Paternity

☐ Legal Separation

☐ \*Legal Decision Maker  
(Custody)/Visitation

☐ Annulment

☐ \*Child Support

☐ Order of Protection

☐ Other

**Interpreter Needed:**

☐ Yes ☐ No

If yes, what language? \_\_\_\_\_

**DO NOT COPY OR FILE THIS DOCUMENT. DO NOT SERVE THIS DOCUMENT TO THE OTHER PARTY.**

Person Filing: \_\_\_\_\_

Address (if not protected): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

ATLAS Number: \_\_\_\_\_

Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case No.: \_\_\_\_\_

And

\_\_\_\_\_  
Name of Respondent

### SUMMONS

**WARNING: This is an official document from the court that affects your rights. Read this carefully.  
If you do not understand it, contact a lawyer for help.**

**FROM THE STATE OF ARIZONA TO:** \_\_\_\_\_  
Name of Respondent

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this *"Summons"*.
2. If you do not want a judgment or order taken against you without your input, you must file an *"Answer"* or a *"Response"* in writing with the court, and pay the filing fee. If you do not file an *"Answer"* or *"Response"* the other party may be given the relief requested in his/her Petition or Complaint. To file your *"Answer"* or *"Response"* take, or send, the *"Answer"* or *"Response"* to the:
  - Office of the Clerk of the Superior Court, 201 West Jefferson Street, Phoenix, Arizona 85003-2205 OR
  - Office of the Clerk of the Superior Court, 18380 North 40<sup>th</sup> Street, Phoenix, Arizona 85032 OR
  - Office of the Clerk of Superior Court, 222 East Javelina Avenue, Mesa, Arizona 85210-6201 OR
  - Office of the Clerk of Superior Court, 14264 West Tierra Buena Lane, Surprise, Arizona, 85374.

**Mail a copy of your *"Response"* or *"Answer"* to the other party at the address listed on the top of this Summons.**

3. If this “*Summons*” and the other court papers were served on you by a registered process server or the Sheriff, within the State of Arizona, your “*Response*” or “*Answer*” must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If this “*Summons*” and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.
4. You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, from the Clerk of the Superior Court’s Customer Service Center at:
  - 601 West Jackson, Phoenix, Arizona 85003
  - 18380 North 40<sup>th</sup> Street, Phoenix, Arizona 85032
  - 222 East Javelina Avenue, Mesa, Arizona 85210
  - 14264 West Tierra Buena Lane, Surprise, Arizona, 85374.
- 5 If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (custody) and parenting time issues regarding minor children.
6. Requests for reasonable accommodation for persons with disabilities must be made to the office of the judge or commissioner assigned to the case, at least ten (10) judicial days before your scheduled court date.
7. Requests for an interpreter for persons with limited English proficiency must be made to the office of the judge or commissioner assigned to the case at least ten (10) judicial days in advance of your scheduled court date.

SIGNED AND SEALED this date

\_\_\_\_\_  
MICHAEL JEANES, CLERK OF COURT

By \_\_\_\_\_  
Deputy Clerk

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
ATLAS Number: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

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## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number: \_\_\_\_\_

### PRELIMINARY INJUNCTION

AND

\_\_\_\_\_  
Name of Respondent

**WARNING: This is an official Order from the court. It affects your rights. Read this Order immediately and carefully. If you do not understand it, contact a lawyer for help.**

Your spouse has filed a ***"Petition for Dissolution"*** (Divorce) or ***"Petition for Annulment"*** or ***"Petition for Legal Separation"*** with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Maricopa County. This Order has the same force and effect as any order signed by the judge. You and your spouse **must** obey this Order. This Order may be enforced by any remedy available under the law, including an ***"Order of Contempt of Court."*** To help you understand this Order, we have provided this explanation. Read the explanation and then read the statute itself. **If you have any questions, you should contact a lawyer for help.**

### EXPLANATION: (What does this Order mean to you?)

1. **ACTIONS FORBIDDEN BY THIS ORDER:** From the time the ***"Petition for Dissolution"*** (Divorce) or ***"Petition for Annulment"*** or ***"Petition for Legal Separation"*** is filed with the court, until the judge signs the Decree, or until further order of the court, both the Petitioner and the Respondent **shall not** do any of the following things:

- ✓ You may **not** hide earnings or community property from your spouse, **AND**
- ✓ You may **not** take out a loan on the community property, **AND**
- ✓ You may **not** sell the community property or give it away to someone, **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter, or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
- ✓ Do **not** harass or bother your spouse or the children, **AND**
- ✓ Do **not** physically abuse or threaten your spouse or the children, **AND**
- ✓ Do **not** take the minor children, common to your marriage, out of the State of Arizona for any reasons, without a written agreement between you and your spouse or a Court Order, **before** you take the minor children out of the State.
- ✓ Do **not** remove, or cause to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

**STATUTORY REQUIREMENTS:** Arizona Law, A.R.S. §25-315(A) provides:

- 1(a). RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling, or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.
- 1(b). REQUIREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on, the person of the other party or any natural or adopted child of the parties.
- 1(c). RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor child(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.
- 1(d). RESTRICTIONS ABOUT INSURANCE:** That both parties are enjoined from removing, or causing to be removed, the other party or the minor children of the parties from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.
- 2. EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment, or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment, or Legal Separation.
- 3. ORDER TO PETITIONER:** You **must** serve a copy of this Order upon the Respondent, along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.
- 4. WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.
- 5. LAW ENFORCEMENT:** You or your spouse may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you **must** notify them of the changes.
- 6. DESCRIPTION OF THE PARTIES:**

**Petitioner:**

Name: \_\_\_\_\_

Gender: ☐ Male ☐ Female

Height: \_\_\_\_\_

Weight: \_\_\_\_\_

Driver's License (last 4 nos.) \_\_\_\_\_

Date of Birth: \_\_\_\_\_

**Respondent:**

Name: \_\_\_\_\_

Gender: ☐ Male ☐ Female

Height: \_\_\_\_\_

Weight: \_\_\_\_\_

Driver's License (last 4 nos.) \_\_\_\_\_

Date of Birth: \_\_\_\_\_

GIVEN UNDER MY HAND AND THE SEAL OF THE COURT this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**Clerk of the Superior Court**

By: \_\_\_\_\_, Deputy Clerk



Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
ATLAS Number: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

FOR CLERK'S USE ONLY

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Petitioner

Case Number: \_\_\_\_\_

ATLAS Number: \_\_\_\_\_  
(if applicable)

\_\_\_\_\_  
Respondent

### PETITION FOR LEGAL SEPARATION WITH MINOR CHILDREN

### STATEMENTS MADE TO THE COURT, UNDER OATH OR AFFIRMATION:

#### GENERAL INFORMATION:

#### 1. INFORMATION ABOUT ME, THE PETITIONER

Name: \_\_\_\_\_  
Address \_\_\_\_\_  
Date of Birth \_\_\_\_\_  
Job Title: \_\_\_\_\_  
I have lived in Arizona for \_\_\_\_ years and/or \_\_\_\_ months

#### 2. INFORMATION ABOUT, MY SPOUSE, THE RESPONDENT:

Name: \_\_\_\_\_  
Address \_\_\_\_\_  
Date of Birth \_\_\_\_\_  
Job Title: \_\_\_\_\_  
Respondent has lived in Arizona for \_\_\_\_ years and/or \_\_\_\_ months

#### 3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: \_\_\_\_\_  
City and state, or country where we were married: \_\_\_\_\_

#### 4. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD (check one box):

☐ There are **no** children under the age of 18 either born to, or adopted by, the parties.  
**NOTE: IF YOU CHECKED THIS BOX, STOP. YOU SHOULD BE USING THE PETITION PACKET  
TO GET A LEGAL SEPARATION WITHOUT CHILDREN.**

- ☐ The following child(ren) is (are) under age 18 and were born to or adopted by my spouse and me:  
(Attach extra pages if necessary).

Child's Name: \_\_\_\_\_  
 Birthdate: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Length of Time at Address: \_\_\_\_\_

Child's Name: \_\_\_\_\_  
 Birthdate: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Length of Time at Address: \_\_\_\_\_

Child's Name: \_\_\_\_\_  
 Birthdate: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Length of Time at Address: \_\_\_\_\_

Child's Name: \_\_\_\_\_  
 Birthdate: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Length of Time at Address: \_\_\_\_\_

5. **RESIDENCY REQUIREMENT.** When I file this document with the Court, either ☐ I or ☐ my spouse live or are stationed while a member of the Armed Forces, in Arizona. **(WARNING: If this statement is not true, you cannot file for legal separation until it becomes true.)**

6. **DESIRE TO LIVE SEPARATE AND APART.** My marriage is irretrievably broken (my marriage is over) or I and/or my spouse desire to live separate and apart. (This must be a true statement or you cannot file for a Petition for Legal Separation.)

7. **DOMESTIC VIOLENCE.** *(If you intend to ask for joint legal decision-making authority (custody) there must have been no "significant" domestic violence in your marriage. A.R.S. 25-403.03. Check the box that makes a true statement):*  
 Significant domestic violence ☐ **has** OR ☐ **has not** occurred during this marriage.

8. **PREGNANCY.**

- ☐ Wife is not pregnant, OR  
☐ Wife is pregnant  
 The baby is due on \_\_\_\_\_ (date), (and, check one box below):  
☐ The Petitioner and Respondent are the parents of the child, OR  
☐ Petitioner is not the parent of the child, OR.  
☐ Respondent is not the parent of the child.

9. **SPOUSAL MAINTENANCE (ALIMONY). (Check the box that applies to you):**

- ☐ Neither party is entitled to Spousal Maintenance (alimony), OR  
☐ Petitioner OR ☐ Respondent is entitled to Spousal Maintenance because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance.)  
☐ Person lacks sufficient property to provide for his or her reasonable needs;  
☐ Person is unable to support himself or herself through appropriate employment;  
☐ Person is the custodian of a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;  
☐ Person lacks earning ability in the labor market adequate to support himself or herself; and,  
☐ Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself.

**INFORMATION ABOUT PROPERTY AND DEBTS:**

**10(a) PROPERTY ACQUIRED DURING THE MARRIAGE. (Check one box)**

- ☐ My spouse and I did not acquire community property during the marriage, OR
- ☐ My spouse and I acquired community property during our marriage, and we should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

**WARNING: You must be specific. You must describe the property that should go to you and then check the box, and describe the property that should go to your spouse, and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to you or to your spouse. Never list an item and then check both the Petitioner box and the Respondent box.**

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY:	You, Petitioner	Your Spouse (Respondent)	Value
<input type="checkbox"/> Real estate at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: _____			
_____			
_____			
<input type="checkbox"/> Real estate at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: _____			
_____			
_____			
<input type="checkbox"/> Household furniture and appliances:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Household furnishings:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
<input type="checkbox"/> Other items:			
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

	<b>You, Petitioner</b>	<b>Your Spouse</b>	<b>Value</b>
<input type="checkbox"/> Pension/retirement fund/profit sharing / stock plan/401K:		(Respondent)	
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

<b>DESCRIPTION OF PROPERTY/</b>	<b>You, Petitioner</b>	<b>Your Spouse</b> (Respondent)	<b>Value</b>
<input type="checkbox"/> Motor vehicles:			
Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____ Year _____			
VIN _____			
Lien Holder _____			
 Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____ Year _____			
VIN _____			
Lien Holder _____			

**10(b) PROPERTY ACQUIRED BEFORE MARRIAGE.** (Check all boxes that apply.)

- ☐ I do not have any property that I brought into the marriage (separate property).
- ☐ My spouse, the Respondent does not have any property that he or she brought into the marriage. (separate property).
- ☐ I have property that I brought into the marriage (separate property). I want this property awarded to me as described below.
- ☐ My spouse, the Respondent, has property that he or she brought into the marriage. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

<b>DESCRIPTION OF PROPERTY</b>	<b>You, Petitioner</b>	<b>Your Spouse,</b> (Respondent)	<b>Value</b>
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

**11(a) DEBTS INCURRED DURING THE MARRIAGE.** (check one box)

- ☐ My spouse and I did not incur any community debts during the marriage, OR
- ☐ We should divide the responsibility for the community debts incurred during the marriage as follows: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

DESCRIPTION OF DEBT	You, Petitioner	Your Spouse, (Respondent)	Amount
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

**11(b) SEPARATE DEBTS.** (Check all boxes that apply.)

- ☐ My spouse and I do not have any debts that were incurred prior to the marriage, OR
- ☐ I have separate debt that I incurred prior to the marriage which should be paid by me as described below:
- ☐ My spouse has separate debt that he or she incurred prior to the marriage which should be paid by my spouse as described below:

DESCRIPTION OF DEBT	You, Petitioner	Your Spouse, (Respondent)	Amount
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

**12. TAX RETURNS.** After the Judge or Commissioner signs the Order of Legal Separation, the parties will file state and federal taxes as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**13. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:**

- ☐ My spouse and I have a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, where the children will live, authority for legal decision-making concerning the children (legal custody), parenting time, and child support, and I have attached a copy of the written agreement.

**OTHER STATEMENTS TO THE COURT UNDER OATH OR AFFIRMATION:** You must tell the court the truth. Lying to the court is a crime and the court can punish you for lying. To file for legal separation, you must be able to tell the Court that the following statements are true. If the statements are not true, you cannot file for legal separation until the statements are true. Check the box in front of each statement if the statement is true. If you do not understand what the statements mean, read the instructions that go along with the Petition for Legal Separation.

- 14.** ☐ **TRUE** The conciliation requirements under Arizona law either do not apply or have been met.
- 15.** ☐ **TRUE** This court has jurisdiction to decide legal decision-making authority (custody) matters under Arizona law.

**REQUESTS TO THE COURT**

- A. LEGAL SEPARATION:** An order of legal separation.
- B. SPOUSAL MAINTENANCE/SUPPORT:** ☐ Order neither party to pay spousal maintenance  
**OR** ☐ Order spousal support to be paid by ☐ Petitioner, or ☐ Respondent in the amount of \$\_\_\_\_\_ per month beginning with the first day of the month after the Judicial Officer signs the Decree and continuing until the person receiving spousal maintenance is remarried or deceased, or for a period of \_\_\_\_\_ months. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse.
- C. COMMUNITY PROPERTY:** Make a fair division of all community property as requested in this Petition.
- D. COMMUNITY DEBTS:** Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties separation on (date): \_\_\_\_\_.
- E. SEPARATE PROPERTY:** Award each party his or her separate property.
- F. PRIMARY RESIDENTIAL PARENT, PARENTING TIME, AND AUTHORITY FOR LEGAL DECISION MAKING (CUSTODY):** Declare which parent shall be designated as "Primary Residential Parent" for each minor child as follows:

☐ Declare **Mother** as primary residential parent for the following named children:

☐ Declare **Father** as primary residential parent for the following named children:

***subject to parenting time, as follows:***

**F.1. PARENTING TIME: Award parenting time as follows:**

- ☐ Reasonable parenting time rights to the non-primary residential parent, **OR**
- ☐ Supervised parenting time between the children and ☐ Mother **OR** ☐ Father, **OR**
- ☐ No parenting time rights to the ☐ Mother **OR** ☐ Father.

**Supervised or no parenting time is in the best interests of the child(ren) because: \***

☐ Explanation continues on attached pages made part of this document by reference.

a. Name this person to supervise: \_\_\_\_\_

b. Restrict parenting time as follows: \_\_\_\_\_

c. Order cost of supervised parenting time (if applicable) to be paid by:

- ☐ Mother  
☐ Father, **OR**  
☐ Shared equally by the parties.

**F.2. AUTHORITY FOR LEGAL DECISION MAKING (CUSTODY): Award legal authority to make decisions concerning the child(ren) as follows:**

☐ **AWARD SOLE AUTHORITY FOR LEGAL DECISION-MAKING to:** ☐ Mother ☐ Father

**OR**

☐ **AWARD JOINT AUTHORITY FOR LEGAL DECISION MAKING to BOTH PARENTS.**

Mother and Father will agree to act as joint legal decision makers concerning the minor child(ren) and will submit a Parenting Plan and Joint Legal Decision Making Agreement signed by the both parties.

(For the court to order "joint" legal decision making, there must have been no "significant" domestic violence according to Arizona law, A.R.S. § 25-403.03)

**G. CHILD SUPPORT:** Order that child support will be paid by: ☐ Mother **OR** ☐ Father in a reasonable amount as determined by the Court under the Arizona Child Support Guidelines. (I will attach the Child Support Order to the Decree). Support payments will begin on the first day of the first month following the entry of the decree. These payments, and a fee for handling, will be paid through the Support Payment Clearinghouse and collected by automatic Income Withholding Order.

**H. MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN:** Order that:

☐ **Mother** is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

☐ **Father** is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

Mother and Father will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the child(ren) in proportion to their respective incomes as described in the Parents' Worksheet, which I will submit with the Decree.

**I. TAX EXEMPTION:** Order that the parties will claim the income tax dependency exemption for the minor child(ren) on federal and state income tax returns as allowed by federal and state tax laws and as follows. Parent entitled to claim exemption for each child is entered as "**M**" for Mother and "**F**" for Father.

Parent entitled to claim	Name of Child	Starting Tax Year:
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Every Year <input type="checkbox"/> Every Other
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Every Year <input type="checkbox"/> Every Other
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Every Year <input type="checkbox"/> Every Other
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Every Year <input type="checkbox"/> Every Other
<input type="checkbox"/> M <input type="checkbox"/> F	_____	<input type="checkbox"/> Every Year <input type="checkbox"/> Every Other

**J. OTHER ORDERS I AM REQUESTING** (Explain request here):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**UNDER OATH OR BY AFFIRMATION**

**I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

Sworn to or Affirmed before me this \_\_\_\_\_ by \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Printed Name

My Commission Expires: (or \_\_\_\_\_  
Seal below)

\_\_\_\_\_  
Deputy Clerk or ☐ Notary Public



Person Filing: \_\_\_\_\_

Address (if not protected): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

ATLAS Number: \_\_\_\_\_

Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number: \_\_\_\_\_

ATLAS Number: \_\_\_\_\_  
(if applicable)

\_\_\_\_\_  
Name of Respondent

### AFFIDAVIT REGARDING MINOR CHILDREN

**NOTICE:** This *"Affidavit Regarding Minor Children"* is required for all legal decision making (custody) cases. If you are asking to modify an existing Arizona legal decision making (custody) order, it is only required if the children have lived outside the state at some time in the last 5 years.

Fill out this Affidavit completely, and provide accurate information. Use additional paper if necessary. You must give copies of this Affidavit and all other required documents to the other party, and to the judge.

- 1. CHILDREN OF THE PARTIES WHO ARE UNDER 18 YEARS OLD.** The following child(ren) are under age 18 and were born to, or adopted by, me and the other party.

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Birthdate: \_\_\_\_\_ Age: \_\_\_\_\_ Birthdate: \_\_\_\_\_ Age: \_\_\_\_\_

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Birthdate: \_\_\_\_\_ Age: \_\_\_\_\_ Birthdate: \_\_\_\_\_ Age: \_\_\_\_\_

**2. INFORMATION REGARDING WHERE THE CHILDREN UNDER 18 YEARS OLD HAVE LIVED FOR THE LAST 5 YEARS (or since birth, if younger than 5).**

Child's Name: \_\_\_\_\_ Dates: From \_\_\_\_\_ To \_\_\_\_\_

Address: \_\_\_\_\_ Lived with: \_\_\_\_\_

City, State: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

Child's Name: \_\_\_\_\_ Dates: From \_\_\_\_\_ To \_\_\_\_\_

Address: \_\_\_\_\_ Lived with: \_\_\_\_\_

City, State: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

Child's Name: \_\_\_\_\_ Dates: From \_\_\_\_\_ To \_\_\_\_\_

Address: \_\_\_\_\_ Lived with: \_\_\_\_\_

City, State: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

**3. COURT CASES IN WHICH I HAVE BEEN A PARTY/WITNESS THAT INVOLVED THE LEGAL DECISION MAKING (CUSTODY) AND/OR PARENTING TIME OF THE MINOR CHILD(REN).** (Check one box.)

☐ I have or ☐ I have **not** been a party/witness in court in this state or in any other state that involved the legal decision making (custody) and/or parenting time of the child(ren) named above. (If so, explain on separate paper. If not, go on.)

Name of each child: \_\_\_\_\_

Name of Court: \_\_\_\_\_ Court Location: \_\_\_\_\_

Court Case Number: \_\_\_\_\_ Current Status: \_\_\_\_\_

How the child is involved: \_\_\_\_\_

Summary of any Court Order: \_\_\_\_\_

Case No. \_\_\_\_\_

**4. INFORMATION REGARDING PENDING COURT CASES RELATED TO THE LEGAL DECISION-MAKING AUTHORITY (CUSTODY) OF THE MINOR CHILD(REN).**

(Check one box.)

☐ I do have or ☐ I do not have information about a legal decision making (custody) court case relating to any of the children named above that is pending in this state or in any other state. (If so, explain. If not, go on.)

Name of each child: \_\_\_\_\_

Name of Court: \_\_\_\_\_ Court Location: \_\_\_\_\_

Court Case Number: \_\_\_\_\_ Current Status: \_\_\_\_\_

How the child is involved: \_\_\_\_\_

Summary of any Court Order: \_\_\_\_\_

**5. LEGAL DECISION-MAKING (CUSTODY) OR PARENTING TIME CLAIMS OF ANY PERSON.** (Check one box.)

☐ I do know or ☐ I do not know a person other than the Petitioner or the Respondent who has physical custody or who claims legal decision-making (custody) or parenting time rights to any of the children named in this Affidavit. (If so, explain below. If not, go on.)

Name of each child: \_\_\_\_\_

Name of person with the claim: \_\_\_\_\_

Address of person with the claim: \_\_\_\_\_

Nature of the claim: \_\_\_\_\_

**OATH OR AFFIRMATION AND VERIFICATION**

**I swear or affirm that the information on this document is true and correct under penalty of perjury.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Sworn to or Affirmed before me this: \_\_\_\_\_ by \_\_\_\_\_  
(date)

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Deputy Clerk or Notary Public

# SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number \_\_\_\_\_

## ORDER AND NOTICE TO ATTEND PARENT INFORMATION PROGRAM CLASS

\_\_\_\_\_  
Name of Respondent

**THIS IS AN OFFICIAL COURT ORDER. IF YOU FAIL TO OBEY THIS ORDER,  
THE COURT MAY FIND YOU IN CONTEMPT OF COURT.**

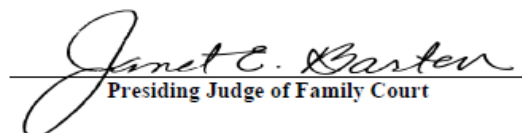
### THE COURT FINDS:

This case involves minor child(ren) and is an action for:

- ☐ Dissolution of Marriage;
- ☐ Legal Separation, or
- ☐ Paternity with a Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Child Support;
- ☐ Request to Determine Legal Decision-Making Authority (Custody) or Parenting time or Support.

### THE COURT ORDERS pursuant to ARS §25-352:

1. **ATTEND CLASS.** You must attend and complete the Parent Information Program Class, or if not in Arizona, its equivalent in your state of residence.
2. **WITHIN 45 DAYS.** Both the Petitioner and the Respondent **must** complete this class within 45 days from the date the Respondent is served with, or accepts service of, the Petition/Complaint. The Respondent must register for and complete the course whether or not a "**Response**" or "**Answer**" to the Petition/Complaint is filed.
3. **PAY THE CLASS FEE.** Each party must pay the class fee to the Program Provider.
4. **FILE CERTIFICATE OF COMPLETION.** Both the Petitioner and the Respondent must each file a "**Certificate of Completion**" with the Clerk of the Court immediately after completing the class and prior to receiving the final judgment/order/decreed in the case.
5. **FAILURE TO ATTEND CLASS.** If you file a Petition/Complaint or "**Response**" or "**Answer**" and do **not** complete the Parent Information Program Class, the judge **may not** sign your papers and you **may not** get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a "**Response**" or "**Answer**", and do not complete the Parent Information Program Class, **you may be denied** the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.

  
Presiding Judge of Family Court

**PARENT INFORMATION PROGRAM NOTICE**

**ATTENDANCE IS REQUIRED (A.R.S. §25-352 and Administrative Order No. 2013-020).** You and the other parent must attend and complete a class in the PARENT INFORMATION PROGRAM. As a precaution against any type of abuse or harassment, you and the other parent must attend separate classes. You may each take the class from the same agency, but not at the same time. This is not a parenting skills class. The purpose of the program is to give parents information about how children are affected by matters that involve family courts: divorce, paternity, or legal decision making (custody) matters and parenting time. This Notice applies to all parents who file any of the following actions.

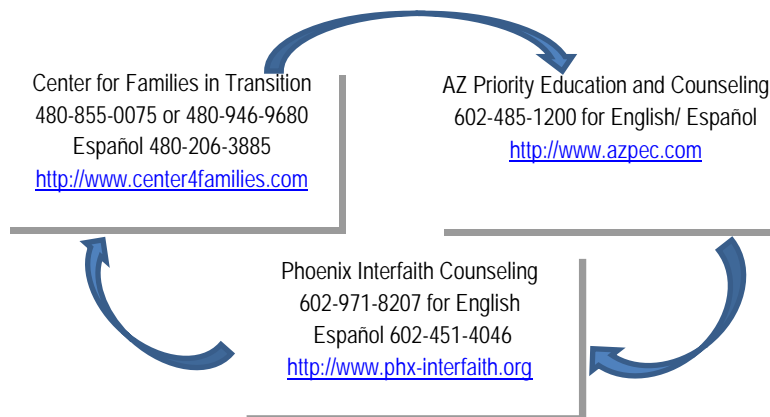
- Dissolution of marriage or legal separation that involves a natural or adopted minor, un-emancipated child common to the parties, or
- Paternity with a request that the court determine legal decision-making authority (custody), parenting time or child support, or
- Any other domestic relations/family court cases if attendance is ordered by the court.

IF YOU DO NOT ATTEND THE PARENT INFORMATION CLASS, THE JUDGE MAY NOT SIGN YOUR PAPERS AND YOU MAY NOT GET THE THINGS YOU ASKED THE COURT TO DO. THE JUDGE MAY ALSO FIND YOU IN CONTEMPT OF COURT.

**NOTICE TO THE OTHER PARENT.** After you file your court papers, you must serve this document on the other parent. If you have questions on how to serve the other parent, the Superior Court Self-Service Center locations have forms and instructions available.

- .....Downtown Phoenix1<sup>st</sup> floor East Court Building, 101 W Jefferson Street
- .....Northeast Phoenix 18380 North 40<sup>th</sup> Street,
- .....Southeast Complex 222 E Javelina Avenue, Mesa
- .....Northwest Valley 14264 West Tierra Buena Lane, Surprise
- .....Self Service Web-Site

**APPROVED PARENT INFORMATION CLASSES IN MARICOPA COUNTY.** You may choose which class you want to attend. The court will not assign you to attend a specific class. Court-approved provider classes are available in both English and Spanish. You can register for your class by calling one of the providers listed below or on-line.



The providers listed offer classes that meet the requirements of the Parent Information Program. You may also choose to attend a different class that is comparable to the classes listed. However, you will have to tell the judge why that class is like the classes on the list of approved classes and you may have to provide all the class materials and information to show it is comparable. The judge to decide if that class meets the Parent Information Program requirements.

**COST.** • You are required to pay the provider of the class the fee of \$50.00 (effective 9/1/08). You must bring your case number and a picture I.D. to the class.  
• If you choose to attend a class that is not listed, you will be required to pay the class provider of the charged fee. *Please note that the charged amount is at the discretion of the provider.*

**SPECIAL NEEDS OR ACCOMMODATIONS.** If, due to a disability, language problem, or other special need and you have difficulty finding a Parent Information Class that can accommodate you, please contact Family Court Administration at 602-506-1561 for assistance.

**CLASS PROCEDURES.**

- Arrive a few minute early
- Bring picture Identification
- Bring your case number
- Do not bring children
- You must check in to the class and check out. Failure to check in and out of the class may result in your attendance not being counted.
- A “Certificate of Completion” will be given to you at the end of the class. You must file a copy of this certificate with the Clerk of the Court.

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
ATLAS Number: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number: \_\_\_\_\_

### NOTICE REGARDING CREDITORS

\_\_\_\_\_  
Name of Respondent

**ARIZONA LAW REQUIRES all actions for DIVORCE or LEGAL SEPARATION to include this NOTICE and for the person filing for Divorce or Legal Separation to SERVE this NOTICE on the other party. (ARS §25-318(F)).**

**YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS.** The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses **only, not the creditors**. You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between **both of you** and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

**CONTACT CREDITORS:** You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. The credit report will help you identify accounts, account numbers and account balances. In addition, within thirty **(30)** days after receipt of a request from a spouse who is party to a divorce or legal separation, which includes the court and cause number of the action, creditors are required, by law, to provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor.

**WARNING: If you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.**

**The following page contains a sample form you may choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.  
DO NOT FILE THE NEXT PAGE WITH THE COURT.**

**REQUEST FOR ACCOUNT INFORMATION FROM CREDITORS**

You may use this form to request information about debt owed by you or your spouse.  
If so, send to the creditor. **DO NOT FILE THIS PAGE WITH THE COURT.**

DATE: \_\_\_\_\_

CREDITOR'S NAME: \_\_\_\_\_

CREDITOR'S ADDRESS: \_\_\_\_\_

Regarding: Superior Court of Arizona in Maricopa County

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

Pursuant to Arizona State Law (ARS §25-318), this letter requests the balance and account status of any debt for which the following individuals may be liable to you. (Arizona law requires that you provide this information within thirty (30) days of receipt of this letter.)

**INFORMATION ABOUT DEBTORS/SPOUSES:**

Your Name: \_\_\_\_\_

Your Address: \_\_\_\_\_

Your Phone Number: \_\_\_\_\_

Your Spouse's Name: \_\_\_\_\_

Your Spouse's Address: \_\_\_\_\_

**INFORMATION ABOUT THE ACCOUNT:**

Account Number(s): \_\_\_\_\_

If you have any questions or if I can be of further assistance, please feel free to contact me.

Sincerely,

Your name: \_\_\_\_\_

Your signature: \_\_\_\_\_